UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/47/668
18 November 1992

ORIGINAL: ENGLISH

Forty-seventh session
Agenda item 97 (b)

# HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

## Enhancing the effectiveness of the principle of periodic and genuine elections

## Report of the Secretary-General

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# I. INTRODUCTION

1. The present report has been prepared in accordance with a request by the General Assembly in its resolution 46/137 of 17 December 1991, entitled "Enhancing the effectiveness of the principle of periodic and genuine elections".

2. The purpose of the report is to present the progress made to date in the implementation of General Assembly resolution 46/137 and to report on the experience of the United Nations in providing electoral assistance to requesting Member States. Based on this experience, recommendations for future assistance and a draft set of guidelines and terms of reference have been prepared. A report on the nature and status of requests for electoral assistance from Member States is provided in annex I to the present report.

3. Over the past year, requests from Member States for electoral assistance have increased significantly. Last year at this time, the United Nations had received five such requests: as of 16 October 1992, some 31 requests had been received. This dramatic upward trend reflects several important changes in the current context of international relations.

4. Since its creation, the United Nations has contributed significantly to processes of modernization throughout the world, most notably in the field of decolonization. With the onset of the Cold War, however, the assistance of the United Nations in the development of viable and independent political systems was effectively truncated. Its efforts were therefore largely channelled into areas of social and economic development. The burgeoning interest of the international community in the process and holding of democratic elections signals its readiness to use the United Nations in a new and positive aspect of State-building.

5. Many States are seeking to organize free and fair elections for the first time. From a domestic political perspective, the efficacy and legitimacy of the process and the ultimate result are critical to continuing efforts in the building of democratic State systems. Based on a positive experience, questions of political leadership can be resolved and States can begin to institutionalize the structures and mechanisms necessary for the future conduct of elections on a regular basis.

6. The increase in requests for electoral assistance suggests that the United Nations is identified as holding unique potential for assisting Member States engaged in the organization and conduct of democratic elections. Based on this trust, the United Nations must not fail to fulfil its new role as a supportive and neutral party, qualified and dedicated to providing the expertise and assistance which Governments may request.

7. Last year, in accordance with resolution 45/150 of 18 December 1990, the Secretary-General invited Member States to submit their views concerning suitable approaches that would permit the Organization to respond to requests

from Member States for electoral assistance. The replies were submitted to the General Assembly in the report of the Secretary-General (A/46/609/Add.1 and 2).

8. In its resolution 46/137, the General Assembly invited those Member States which had not responded earlier to the Secretary-General's request to do so at this time. The recent replies received by the Secretariat are provided in annex II to the present report.

## II. IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 46/137

### A. Appointment of a focal point and creation of the Electoral Assistance Unit

9. In accordance with General Assembly resolution 46/137, the Secretary-General designated Mr. James O. C. Jonah, Under-Secretary-General, Department of Political Affairs, as a focal point for electoral assistance activities. The focal point will be responsible for ensuring consistency in the handling of requests from Member States organizing elections. More specifically, the focal point will assist the Secretary-General in coordinating and considering requests for electoral verification and will channel requests for electoral assistance to the appropriate office or programme, ensure careful consideration of requests for electoral verification, build on experience gained to develop an institutional memory, develop and maintain a roster of international experts who can provide technical assistance, as well as assist in the verification of electoral processes and maintain contact with regional and other intergovernmental organizations to ensure appropriate working arrangements with them to avoid duplication of efforts.

10. In order to assist the focal point with the above tasks, the Secretary-General has created an Electoral Assistance Unit in the Department of Political Affairs. Mr. Horacio Boneo has been appointed Director of the Unit, which has a small staff. The Unit was established on the basis of a reallocation of existing resources and involves no additional financial implications for the regular budget.

11. The Unit will play a central role in the processing of requests for electoral assistance. Its screening role and the provision of support to the focal point in providing consistent answers are important elements of its activity and will require that all requests be channeled through the Unit. In addition, given the fact that the Unit will have significant substantive capacity in the electoral field and that it has been requested to build up a roster of electoral experts, the Unit will conduct fact-finding and evaluation missions and will be available to provide support, as required, for the initial stages of project development or major missions. As soon as a project or a mission becomes operational, implementation will be the full responsibility of the relevant implementing organization. The role of the Unit at that time will focus on following experience in order to build up an institutional memory in the electoral assistance field.

12. Despite the number of requests that may be received, the Unit will remain small in size and will provide the full range of responses requested by developing a network of internal and external resources to support the Unit's objectives and by building up an efficient information system. In order to strengthen the capacity of the Unit without increasing its size, several steps will be taken, among them: (a) mechanisms will be established to facilitate the exchange of information and/or coordination of technical assistance with donor countries; (b) a roster of experts and consultants will be developed; (c) databanks and information systems on electoral issues will be established; (d) high-level training workshops will be organized for key United Nations personnel in order to develop a pool of qualified individuals who may be employed in future operations; (e) support will be provided for the creation of networks of electoral organizations in Africa, similar to those existing in Central Europe and Latin America; and (f) operational guidelines, briefing and training materials will be developed.

## B. Coordination of electoral assistance activities within the United Nations system

13. In paragraph 9 of General Assembly resolution 46/137, the Assembly endorsed the view of the Secretary-General that the senior official designated to act as focal point should assist him to coordinate and ensure consistency in the handling of electoral assistance requests, and in paragraph 10 the Assembly determined that the focal point or its support unit would neither pre-empt nor supersede ongoing arrangements regarding electoral assistance nor prejudice the operational arrangements for missions that the Organization may decide to undertake.

14. There are several ways in which the required type of coordination has been achieved. First, the focal point and the Unit have restricted their role to the initial stages of request processing and provision of support for subsequent stages of implementation as required. Second, a Task Force comprised of representatives of relevant departments and organizations will meet periodically under the chairmanship of the focal point to exchange information and to discuss coordination problems that may arise. Furthermore, the focal point and the Electoral Assistance Unit have established working arrangements with the Department of Economic and Social Development of the Secretariat, the Centre for Human Rights and the United Nations Development Programme (UNDP).

15. UNDP resident coordinators are often closely involved in the initial contacts with Governments of Member States requesting electoral assistance. In view of its extensive network of field offices, the relationship between UNDP and the the Unit is the most extensive and complex. UNDP is also the primary source of financial support for technical assistance activities, including electoral activities, within the United Nations system. In order to facilitate coordination, a document describing the main options for electoral assistance has been prepared jointly by UNDP and the Unit and distributed to relevant field offices.

16. At the time that the present report was prepared, two major missions involving an electoral component were in the process of implementation: United Nations Transitional Authority in Cambodia (UNTAC) in Cambodia and United Nations Angola Verification Mission II (UNAVEM II) in Angola. As the Electoral Assistance Unit was established in April 1992, subsequent to the creation or expansion of those missions, the Unit was not in a position to contribute significantly to their organization. However, the Unit has been actively involved with electoral preparations in Mozambique and Eritrea and reports on these activities have been submitted to the appropriate organs.

## C. Coordination with other organizations

17. In paragraph 9 of General Assembly resolution 46/137, the Assembly requires, inter alia, that the focal point should maintain contact with regional and other intergovernmental organizations to ensure appropriate working arrangements with them and to avoid a duplication of efforts. In paragraph 15 the same resolution of the Assembly affirms the effectiveness of and the need for coordination with intergovernmental organizations, including regional organizations having international electoral experience; in paragraph 16, the Assembly commends the efforts of non-governmental organizations that have provided electoral assistance at the request of Member States.

18. Since the appointment of the focal point and the creation of the support unit in April, contacts have been established with the primary organizations operating in the field of electoral assistance. Electoral activities have already been coordinated in a variety of cases. For example, UNDP provided logistical support in Mali to observers from the Organization of African Unity (OAU), the Commission africaine des droits de l'homme et des peuples, the Ligue africaine des droits de l'homme, the Association des Juristes africains, among others, while in Ethiopia, support was provided to a Joint International Observer Group composed of representatives of several countries and intergovernmental organizations. For Albanian elections, technical assistance provided by UNDP was coordinated with similar activities of the Warsaw Centre of the Conference on Security and Cooperation in Europe (CSCE) and with the Washington-based International Foundation for Electoral Systems (IFES). In Angola, technical assistance is being provided jointly by UNDP and two non-governmental organizations implementing projects for the European Community (EC) and the United States Agency for International Development (USAID). The Centre for Electoral Promotion and Advice (CAPEL), based in Costa Rica, suggested a consultant who was included in a mission to El Salvador. In Djibouti, the UNDP office supported observers from the OAU and the Arab League, and in Guyana, technical assistance provided by UNDP is being coordinated with the activities of the Carter Centre, the Commonwealth Secretariat and other concerned organizations. Contacts have been established with the Carter Centre regarding an eventual verification mission in Liberia. (Paragraphs 46 to 48 of the present report describe additional initiatives which have been taken with regard to coordination.)

D. Establishment of trust funds for electoral assistance

19. In compliance with General Assembly resolution 46/137, the Secretary-General has established, in accordance with United Nations financial regulations, a voluntary trust fund for cases in which the requesting Member State is unable to finance, in whole or in part, the electoral verification mission. The fund, entitled "The United Nations Trust Fund for Electoral Observation", is administered by the Under-Secretary-General for Political Affairs, who is also designated as the focal point for electoral assistance. The Fund will consist of voluntary contributions and has no financial implications for the regular budget.

20. Disbursements will be based on the following primary purposes of the Fund, which are to finance in whole or in part:

(a) Electoral verification missions approved by the competent organs of the United Nations;

(b) Preliminary or fact-finding missions in relation to requests for electoral assistance;

(c) Costs of required support in cases where follow-up of the electoral process is requested;

(d) Coordination of and support for activities of other international observers.

21. The Administrator of UNDP has established a separate "Trust Fund for Technical Assistance to Electoral Processes". The Fund has the following basic objectives:

(a) To contribute to the achievement of free and fair elections in countries that are in the process of developing open, competitive and participatory systems and lack adequate previous experience in the organization of competitive. multi-party elections;

(b) To contribute to research projects, studies, publications, and the organization of workshops or conferences on the subject of electoral administration in developing countries;

(c) To contribute to the creation of and support for networks of electoral institutions;

(d) To engage in any other activity that might be instrumental to the basic aim of developing open, competitive and participatory societies;

(e) To advance funding for fact-finding and needs-assessment missions.

22. Both Trust Funds were established relatively recently. They will provide a cost-effective mechanism for dedicated cost-sharing of contributions related to electoral processes in specific countries. With adequate funding, the combined activities of both Trust Funds will cover requirements for the fielding of fact-finding and needs-assessment missions and ensure that the many urgent requests for assistance will receive an initial response despite their lack of an immediate or secure source of financial support.

### E. Development and maintenance of an expert roster

23. The General Assembly, in its resolution 46/137, endorsed the view that the focal point should develop and maintain a roster of international experts who could assist in technical or electoral verification activities. A preliminary expert roster has been compiled on the basis of previous mission experience and contacts with other organizations active in the electoral field. A variety of potential consultants in specialized fields (logistics, public information and training) has also been identified from the rosters of other institutions. In order to prepare a more comprehensive roster, the Electoral Assistance Unit has invited Member States to identify candidates for consultancies in the provision of technical assistance in specific fields, and/or electoral observation, who might be seconded for medium-term periods as members of United Nations electoral verification missions.

### F. Nature and status of Member State requests

24. Between 1 October 1991 and 30 September 1992, the United Nations received 31 requests for electoral assistance. Requests were received from: Albania, Angola, Argentina, Azerbaijan, Burundi, Cambodia, Cameroon, Central African Republic, Chad, Congo, Djibouti, El Salvador, Eritrea, Estonia, Ethiopia, Ghana, Guinea, Guyana, Haiti, Lesotho, Liberia, Madagascar, Mali, Mozambique, Niger, Philippines, Romania, Rwanda, Seychelles, Togo, and Uganda. Requests were made through various channels, including informal consultations with resident coordinators and formal requests to the Secretary-General. Requests related to a wide range of activities, including technical or financial assistance for the electoral process, the sending of observers, representatives of the Secretary-General or observation missions, or combinations thereof. Annex I to the present report describes the requests and action taken as of 16 October 1992.

25. As can be seen in annex I, many requests for assistance were received by the Secretariat on very short notice, allowing little or no lead time prior to the planned election. As a result, responses to such requests could not be as positive or supportive as might otherwise have been the case. With the designation of the focal point for electoral assistance activities, the establishment of the Electoral Assistance Unit and the elaboration of clear guidelines, Member States should be able to present their requests in a more precise and timely manner, thereby facilitating United Nations efforts to provide the most appropriate possible response.

## III. EXPERIENCE AND RECOMMENDATIONS ON THE PROVISION OF ELECTORAL ASSISTANCE

26. Of the 31 requests received between 1 October 1991 and 16 October 1992, 12 related to technical assistance, eight referred to the sending of observers and 11 involved a combination of the two activities.

27. The Security Council has approved an electoral component in the deployment of at least two major missions: UNTAC in Cambodia with Security Council resolution 745 (1992) and UNAVEM II in Angola with Council resolution 747 (1992). United Nations assistance with the referendum in Western Sahara, approved by Council resolution 690 (1991), has become operational and was pending as of 30 September 1992. The experience acquired with those missions warrants a brief discussion.

### A. Major United Nations missions

#### 1. United Nations Transitional Assistance in Cambodia

28. On 23 October 1991, the Agreements on a Comprehensive Political Settlement of the Cambodia Conflict (Paris Agreements) were signed by Cambodia and 18 other nations in the presence of the United Nations Secretary-General. The act of signature marked the beginning of a transition period for Cambodia, which will continue until the formation of a new Cambodian Government by a constituent assembly following free and fair elections. A central focus of the Agreements is the holding of those elections under United Nations auspices, and Article 13 of the Agreements specifically entrusts the responsibility for the organization and conduct of the elections to the United Nations Transitional Authority in Cambodia (UNTAC).

29. In February 1992, a detailed implementation plan was submitted to the Security Council in the report of the Secretary-General on Cambodia (S/23613). The Council adopted resolution 745 (1992) approving the plan, establishing UNTAC and deciding that elections should be held in Cambodia by May 1993 at the latest.

30. Security Council resolution 745 (1992) marked a new departure for United Nations involvement in national elections, as this was the first time that the Organization was entrusted with the organization and conduct of elections. Previous experience related only to the supervision and control or monitoring of elections.

31. The electoral duties of UNTAC are only one component in its larger responsibility for the exercise of the powers necessary to ensure the implementation of the Paris Agreements. In this capacity, UNTAC acts in close cooperation with the Supreme National Council (SNC), a reconciliatory body composed of representatives of the four Cambodian parties under the Presidency of His Royal Highness Prince Norodom Sihanouk. Under the Agreements, the SNC is the only legitimate body and source of authority in which, throughout the

transitional period, the sovereignty, independence and unity of Cambodia are vested. By article 6 of the Agreements, SNC delegated to the United Nations all powers necessary to ensure the implementation of the Agreement.

32. The specific authority of UNTAC with regard to the electoral process was detailed in the Agreements and annex III of the Agreements contains a number of additional provisions related to the electoral process. The Secretary-General's implementation plan (S/23613, paras. 23-51) set forth further details on the legal framework, civic education and training, registration of voters, political parties and candidates, polling, the structure of the UNTAC Electoral Component, the need for computerization and the calendar of the electoral process. Based on experience and changing circumstances in Cambodia, UNTAC has re-examined and modified the approach outlined in the Secretary-General's implementation report as required.

33. On 1 April 1992, UNTAC submitted a draft electoral law to the SNC for its consideration. Following extensive deliberations with all four Cambodian parties, the law was adopted in the SNC on 5 August 1992 and formally promulgated the following week. UNTAC then announced to the SNC at its subsequent meeting on 24 August 1992 the issue of explanatory notes for political parties on procedures for application for provisional registration under the United Nations Electoral Law for Cambodia, 1992. At this time, 14 organizations seeking provisional registration as political parties have requested the explanatory notes. The Electoral Component of UNTAC is now (September 1992) proceeding with preparations for the next stage of the process, the registration of voters.

34. In accordance with the electoral law, registration is open to all Cambodians aged 18 or older. According to estimates prepared by the Electoral Component, the voting population of Cambodia is approximately 5 million. Registration of voters, scheduled to begin in October 1992, will take place over approximately three months. An estimated 800 five-man registration teams, relying upon local personnel to the extent possible, will be required. Approximately 200 two-person international supervisory teams may be required to canvass all districts in Cambodia and, in certain circumstances, an UNTAC military or police component may be needed to provide security arrangements for registration stations.

35. In view of the complex political situation in the country, United Nations preparations for the election require the creation of a neutral political environment throughout Cambodia before the beginning of the electoral process. To that end, the Paris Agreements and the implementation plan have provided for the regroupment, cantonment, disarming and demobilization of the great bulk of the armed forces of the four Cambodian factions and the exercise of direct administrative control by UNTAC in key areas of the country. This control would be exercised through the existing administrative structures of each of the four parties in the zones they control. A country-wide information and education programme on the importance of human rights and fundamental freedoms has also been initiated.

36. As of 30 September 1992, UNTAC is receiving satisfactory cooperation from three of the four Cambodian parties. However, the Party of Democratic Kampuchea has so far refused to participate in the cantonment process and has not allowed UNTAC personnel access to its zone. The Party of Democratic Kampuchea has made several proposals regarding its participation in the process which are being carefully studied.

## 2. United Nations Angola Verification Mission II

37. On 24 March 1992, the Security Council approved in its resolution 747 (1992) the recommendations of the Secretary-General contained in his report (S/23671) concerning an operational plan for United Nations observation of elections and the enlargement of UNAVEM II. The United Nations mission was based on the explicit agreement of the Government of Angola and the National Union for the Total Independence of Angola (UNITA), the two parties to the Peace Accords for Angola signed at Lisbon on 1 May 1991. The electoral role of the United Nations was limited to the observation and verification of the elections, similar to its role with the United Nations Observer Mission to verify the electoral process in Nicaragua (ONUVEN) and the United Nations Observer Group for the Verification of the Elections in Haiti (ONUVEH).

38. Similar to the United Nations operation in Cambodia, the political situation in Angola required the United Nations to undertake specific preparations for the electoral process, which included the cantonment, disarming and demobilization of armed forces of both parties.

39. The electoral verification process was carried out largely as envisioned by the Secretary-General in his report to the Security Council of 3 March 1992 (S/23671). The three main phases of the electoral process were: registration of voters from 20 May to 31 July; the official electoral campaign which began on 29 August and the poll itself on 29 and 30 September. UNAVEM electoral observers monitored and evaluated the operations and impartiality of the electoral authorities at all levels during the three phases.

40. Throughout the electoral process, each of the 19 provincial centres played an important role in providing a weekly report to the headquarters at Luanda on such issues as the political climate; the electoral process and any observed or reported problems; impact of UNAVEM presence; activities of electoral authorities and political parties and their contacts with UNAVEM; organizational problems with electoral authorities or within UNAVEM; possible solutions to problems identified. Daily reports on the numbers of people registered in each province were also transmitted to headquarters at Luanda by radio. Based on such regular reports, continual assessments and analyses could be made of the status of registration and political developments nationwide. During the final phase of the mission, the Electoral Division fielded some 200 observation teams of two people each. These teams monitored all stages of the poll and contributed to a projection of results for internal purposes. On 17 October, the Special Representative of the Secretary-General certified that the first round of elections could be considered generally free and fair.

41. One important feature of electoral assistance in the case of Angola was a large-scale UNDP technical assistance project for the electoral authorities, implemented by the Department of Economic and Social Development of the Secretariat and the UNDP/Office of Project Services (OPS). The project, which channelled about $4 million of cost-sharing contributions from eight countries, provided 16 specialists in policy, legal, organizational, civic education, communications and logistical aspects of the electoral process. Two specific features of the project should be highlighted. First, it provides an excellent example of effective collaboration among several donors, since several Member States, intergovernmental and non-governmental organizations, funded from various sources, cooperated effectively under the broader umbrella provided by UNDP. A second feature was the establishment by UNDP of an Air Transport Unit for the coordination of airlift operations needed to transport people and material to the polling stations, which involved more than 4,000 hours of flight to move more than 20,000 people and 3 million pounds of cargo to 6,000 polling stations around the country. Eight donors, including two private companies, provided support to the airlift operation. The Special Representative provided crucial support in the negotiations leading to the donors' agreement to contribute to the airlift operations.

### 3. United Nations Mission for the Referendum in Western Sahara

42. In accordance with Security Council resolution 690 (1991), the United Nations Mission for the Referendum in Western Sahara (MINURSO) was established in April 1991. The referendum for self-determination was to be organized and supervised by the United Nations in cooperation with OAU in order that the people of the Territory would be able to decide their future. The Secretary-General appointed a Special Representative who would be assisted by MINURSO in organizing and conducting the referendum in accordance with the settlement proposals agreed to by the Kingdom of Morocco and the Frente Popular para la liberacion de Saguia el-Hamra y de Rio de Oro (Frente POLISARIO). The main elements of the implementation plan were provided by the Secretary-General in his reports to the Security Council (S/21360 and S/22464 and Corr.1). To date, differences over the criteria for voter eligibility have prevented implementation of the plan. However, the Special Representative has initiated discussions with the parties concerned and the results of those discussions will be reported to the Security Council.

## B. Technical assistance provided by the United Nations system

43. As mentioned in paragraph 26 above, 23 Member States requested technical assistance in the electoral field between 1 October 1991 and 16 October 1992. The following paragraphs provide a brief overview of the activities undertaken by relevant agencies during the period under review. Full details of individual agency involvement are provided in annex I to the present report.

## 1. United Nations Development Programme

44. UNDP has been operating in full collaboration with the United Nations Secretariat in the field of electoral assistance. This is most evident in the UNDP field offices where the UNDP Resident Representative serves as Resident Coordinator of the United Nations system and often receives the first request for electoral assistance. In addition to the Resident Coordinator, UNDP assistance in the electoral field is carried out through activities of the Division for Global and Interregional Programmes (DGIP), the Office of Project Services (OPS) and the United Nations Volunteers programme (UNV).

45. In October 1991, UNDP/DGIP agreed to finance a project (INT/91/033) entitled "The Strengthening of Electoral Administration in Developing Countries". The project covered the cost of two missions to assess the interest of African countries in a workshop to explore possible networking in this field. The project also provided for a revolving fund that was used to advance funding for needs assessments missions to Ethiopia, Togo, Guinea, Rwanda and El Salvador. The cost of the missions was later reimbursed to the revolving fund through funds from technical assistance projects which were developed as a consequence of the needs-assessments. Future missions of this type will be funded by the UNDP Trust Fund for Technical Assistance to Electoral Processes. This project was also used to fund resource people for the conference of electoral assistance donors (described below) and a United Nations/United Nations Institute for Training and Research (UNITAR) electoral training course for United Nations staff. All of the above activities were undertaken in collaboration with the United Nations Electoral Assistance Unit.

46. The wide variety of demands, circumstances and contributing agencies highlights the need for a more systematic approach to electoral assistance. In order to explore practical solutions to this problem, the Electoral Assistance Unit, UNDP and the Government of Canada organized a Conference on Coordination of Assistance in the Electoral Field at Ottawa from 5 to 8 October 1992. Although the primary focus was on technical assistance, the Conference provided an opportunity to discuss questions of coordination and mechanisms for increased collaboration in electoral observation. Ninety-three representatives of donor countries, intergovernmental organizations, parliamentary and non-governmental organizations participated in the Conference.

47. The Conference resulted in a number of important recommendations related to the coordination of financial and technical assistance, and of electoral observation. These are included in annex IV to the present report. The Electoral Assistance Unit was requested to act as the focal point of an electoral assistance information network, which will retrieve and disseminate information on requests for assistance on electoral matters received by the participating countries/organizations. The early exchange of information will significantly improve coordination of activities and contribute to the avoidance of duplication.

48. Another important aspect of coordination that will be explored at a future Conference is the possibility of developing a network of technical assistance among developing countries (TCDC) in the field of electoral assistance. There are many developing countries that have a long tradition of democracy and well-established electoral institutions. Moreover, they frequently face the same logistic constraints and the scarcity of resources that characterize developing countries undergoing political transformation and have the specific experience of conducting elections in difficult conditions. The Conference will explore the possibilities of transferring such experience to other Member States who might require it. The electoral authorities of Colombia have expressed willingness to host the Conference.

49. OPS, as a multi-sectoral provider of development services, has the capacity and flexibility to support election activities in a variety of ways. These can range from either project execution/implementation to the provision of quick one-time services in support of an electoral process. An example of such support is the recent cost-sharing project, Special Relief Programme for Angola, funded by various donors, through which OPS sub-contracted the use of 40 helicopters to ensure that rural populations had a chance to vote.

50. The UNV of UNDP, which has the capacity to tap electoral expertise in both industrialized and developing countries, was active in the electoral assistance field in Haiti and Guyana and is currently involved in Cambodia. In Guyana, the focus of the UNV specialists' participation was information management. In Cambodia, UNTAC called on UNV to participate, on a large scale, in the preparation of elections at the district level. Its involvement with UNTAC will continue until the end of May 1993, when the Cambodian elections are scheduled to be held and any follow-up work completed. The UNV Programme has been demonstrated to be a viable low-cost channel for the delivery of electoral expertise. It is also able rapidly to recruit well-qualified personnel to assist in specialized roles as advisors on electoral and constitutional law, parliamentary processes, civic education, and election preparation and management.

### 2. United Nations Centre for Human Rights

51. The Centre has been involved, through its programme of advisory services and technical assistance, in electoral assistance to several countries in a variety of contexts. Its involvement has included the provision of advisory services and technical assistance in the legal and technical aspects of democratic elections; training of electoral and other public officials involved in free and fair elections; civic education endeavours; and legal and procedural analysis of electoral and related legislation. During 1991-1992, the Centre sent expert missions to Lesotho and Romania and issued detailed analytical reports following each mission. Training, civic education and human rights courses designed to prepare various organs of society for elections and beyond, were conducted in Romania, Lesotho and Angola. Specialized legal staff in the Centre have provided legislative analysis and recommendations at the request of the Electoral Assistance Unit for Eritrea and Cambodia. The Centre's involvement in electoral assistance is based upon

the human rights content of the electoral process itself and upon the recognition that such involvement provides opportunities to identify other human rights needs within the particular country which may be addressed through its programme of advisory services and technical assistance. While the Centre does not provide logistic or material support for electoral assistance projects, it can contribute to those components of projects which have a specific human rights element. The Centre's Voluntary Fund for Technical Cooperation in the Field of Human Rights can provide funding for such components, including short-term consultants, where appropriate.

### 3. Department of Economic and Social Development

52. The Department has a general mandate to assist Governments, at their request, in strengthening their institutions and improving their capacity in the conduct of affairs of State. Through its predecessor, the Department of Technical Cooperation for Development, the Department of Economic and Social Development has been the pioneer department of the United Nations in this field, providing technical assistance to the electoral process in Albania, Angola, Ethiopia, Guinea and Mali. Its programmes have included legal and logistical information, the establishment and maintenance of civil electoral registers, electoral electronic data processing, vote counting technologies, and training for electoral officials. The Department will continue its focus on technical assistance in this field and is looking towards enhancing its capacity as a major technical assistance agency within this area of its mandate.

## C. Electoral observation activities of the United Nations system

53. General Assembly resolution 46/137 defined the involvement of the United Nations in electoral verification as an exceptional activity of the Organization. In the report of the Secretary-General submitted to the Assembly at its forty-sixth session (A/46/609/Corr.1 and Add.1-2), four criteria were suggested which should be satisfied if an eventual mission were to be considered. In view of recent experience, these criteria might be defined as follows:

(a) Requests should pertain primarily to situations with a clear international dimension and which may relate to the maintenance of international peace and security;

(b) Monitoring provided by potential United Nations activity should cover - geographically and chronologically - the entire electoral process, from the initial stages of registration through the elections themselves;

(c) There should be a specific request from the Government concerned as well as broad public and political support for a United Nations role;

(d) Approval should be provided by the competent United Nations organ.

54. If the United Nations is expected to issue, during and at the end of the electoral process, official opinions on the freedom and fairness of the process, fulfilment of the above conditions is essential. In order to issue such a statement, prior agreement must be obtained among all involved parties and extensive geographical and chronological coverage must be assured in order to provide a solid factual foundation for such opinions. Furthermore, this kind of mission usually involves significant cost. As specified by General Assembly resolution 46/137, a specific mandate should be sought for each case.

55. In contrast, the provision of technical assistance in the electoral field clearly falls within the existing mandates of the UNDP, the United Nations Centre for Human Rights or the Department of Economic and Social Development. As a result, no new mandate is required for cases related exclusively to technical assistance.

56. With the increase in requests for electoral assistance and the growing number of requests to the Secretariat for support for the democratization process, the guidelines provided by General Assembly resolution 46/137 no longer provide sufficient options for assistance. This is particularly true in the case of requests supported by a government and all involved parties, where elections constitute a potentially useful conflict resolution mechanism that may avert the possibility of armed confrontation and diminish the potential for more extensive intervention at a later stage. An early international presence may prevent later loss of life and the significant cost of a major operation.

57. Of the four criteria provided above for United Nations involvement in electoral verification, (c), relating to government requests, must always be fulfilled. If condition (a) concerning international impact is defined to include potential international disruption, this condition is also usually met. However, owing to the frequent lack of lead time for achieving the required geographical and chronological coverage specified as condition (b), it has often not been possible to bring the question to the appropriate mandating organ as required by condition (d).

58. Furthermore, the experiences of Namibia, Nicaragua and Haiti show clearly that a primary consequence of United Nations intervention is confidence-building. In situations where there is deep distrust among the parties, the presence of the United Nations can make a useful contribution to the electoral process by alleviating mistrust, both of contending parties and within the population at large. This result can be obtained with a much shorter and/or reduced presence, which of course reduces not only the lead time, but the resources required as well.

59. As a consequence of these converging factors, the United Nations needs greater flexibility in order to contribute most effectively to democratization processes. The guiding principle would be to devise approaches that will contribute to confidence-building, while making sure that United Nations involvement will not entail a public statement on the freedom and fairness of the electoral process, which cannot be based on anything other than a solid factual basis.

60. In cases where some of the four criteria for a major mission with a specific mandate have not been fulfilled, two types of response have been given. For such countries as Cameroon, the Congo, Djibouti and Mali, the Resident Coordinator, in cooperation with other United Nations agencies, was requested to follow the electoral process closely and report to the Secretary-General on its results. In Cameroon and Djibouti, time was too short to provide additional support to the Resident Coordinator in fulfilling the assigned task. As a result, the task was completed by using resources from local United Nations activities. In Mali, it was possible to provide support in the form of specialized consultants, and in the Congo, by sending senior United Nations officers. For Mali, funding from the Indicative Planning Figure (IPF) was released to finance the participation of observers affiliated with other organizations, including OAU.

61. A different response was used in the case of regional elections in Ethiopia, following a specific and urgent request from the transitional government. The role of the United Nations was to coordinate and support international observers affiliated with other organizations. In this case, the United Nations suggested that a Joint International Observer Group be created which would provide logistic and technical support for the deployment of about 250 international observers belonging to 30 countries and organizations. Overall guidance for the observers was provided by the so-called "Contact Group" comprising representatives from several countries as well as the Resident Coordinator, and by a full donors' group which included representatives from all countries and organizations providing observers to the group. A secretariat, including United Nations consultants and representatives of participating groups, coordinated the use of considerable resources mobilized by UNDP and complemented by the embassies. A technical assistance project, partially financed by cost-sharing contributions, provided the funding necessary for the rental or purchase of transportation and communication equipment, including aircraft.

62. The very short lead time available (the United Nations technical team proposed the concept on 19 May and the elections were held on 21 June), as well as the complex developments of the Ethiopian political situation made this case particularly valuable as a learning experience. It is clear that such an approach not only contributes to adequate coordination among the countries and organizations sending observers, but also provides a cost-efficient and effective approach that might be replicated in other cases. As the response provided in several cases also included - although on a much smaller scale - support to other international observers, the composite experience has been used to develop guidelines for this approach.

## IV. GUIDELINES FOR UNITED NATIONS INVOLVEMENT IN ELECTORAL ASSISTANCE

63. The General Assembly, in paragraph 18 of resolution 46/137, requested that guidelines and terms of reference be elaborated for United Nations electoral involvement. Based on previous mission experience and the additional considerations discussed in paragraphs 56 to 62 above, six basic

approaches for such involvement can be defined. These are: (a) organization and conduct of elections; (b) supervision; (c) verification; (d) observation; (e) coordination and support of the activities of international observers affiliated with other organizations; and (f) technical assistance. A detailed description of United Nations involvement, including terms of reference, operational procedures, lead time requirements and other major characteristics, has been prepared by the Electoral Assistance Unit. Although the six approaches are based on experiences to date, they provide a general reference and guide for Member States considering requests for United Nations electoral assistance. These guidelines are available from the Electoral Assistance Unit.

## V. OBSERVATIONS

### A. The need for flexibility

64. One year ago, United Nations experience in the field of electoral assistance was limited to the supervision and observation of elections and referenda undertaken in the context of decolonization, and more recently in Namibia, Nicaragua and Haiti. Assistance in Angola followed the pattern of Nicaragua and Haiti, and the complex situation in Cambodia required the formulation of a new approach and concept. The four criteria for United Nations assistance specified in General Assembly resolution 46/137 were essentially developed from these major kinds of operations.

65. Although these criteria remain valid for large verification missions and will be fully applied in such cases, they are too narrow to respond effectively to the variety of demands received over the last year. Many of these, for various reasons, did not satisfy all of the prerequisites. However, given so many such cases, the United Nations must be able to provide a positive response in cases where the Organization could contribute to the evolution of democratic processes. It was in this context that Resident Coordinators were asked to follow some electoral processes or that support and coordination for the activities of other international observers was provided.

66. Even in cases where the four requisites established in General Assembly resolution 46/137 are fulfilled, obtaining a mandate and securing the necessary financial resources for an operation takes time. The Secretariat therefore needs some flexibility in order to advance preliminary activities and begin an operation, if only with a token presence. Flexibility in timing and undertaking advance activities can result in better coverage and significant financial savings.

67. One year of experience cannot be considered definitive. Electoral assistance is still a new field, and we are currently gathering information, assessments and analyses in order to respond better to Member States in the future. Our goal must be to provide the best means of satisfying the needs of Member States who request United Nations assistance at crucial stages on the path towards open and participative societies, based on the fundamental

principle of free, fair and periodic elections. A wide range of responses, as described in previous paragraphs, and flexibility in operational timing must be available if we are to contribute effectively to the present democratization trend.

### B. Resources and political will

68. In considering the resources necessary to carry out electoral verification activities, one fundamental ingredient must clearly be present: the political will of the involved parties to use elections as a peaceful means of resolving intractable situations. In the absence of the requisite political will, no amount of personnel, financial or material resources will be sufficient to produce the desired result. As a consequence, United Nations assistance in this field must be contingent upon the presence, at all times, of the requisite political will.

69. Given the lack of a democratic tradition in many of the countries requesting electoral assistance from the United Nations, it cannot always be assumed that the choice of the electorate will in all cases be respected. If the United Nations certifies that an election was free and fair and therefore the result must be considered valid, does it have a responsibility to follow implementation of the election results? Are there safeguards which might be included within United Nations electoral verification activities in order to address such situations? In view of past experience, some contingency planning might be useful, and as the United Nations gains more experience in the electoral assistance field, more sophisticated approaches will be developed. However, the problem is not essentially a technical one. The international community must ultimately consider to what extent United Nations assistance with the elections of sovereign States implies a continuing role for the Organization in following the implementation of the electoral results on their behalf.

70. Given a sincere commitment to the democratic process, the operational size of a mission must be tailored to suit the particular needs of the country. Based on its experience in this field, the United Nations will suggest the parameters it considers appropriate for an effective operation. In some cases, relatively small verification missions will be sufficient, while in others a more extensive operation will be required. Consideration should also be given to designing future missions to include support for voter education and the development of a civic culture in which active political participation is increasingly accepted.

### C. The need for improved coordination

71. Electoral assistance activities engage a wide variety of governmental entities, political parties, intergovernmental and non-governmental organizations. Financial and logistical support are often secured from diverse sources. In each case, it is important to emphasize coordination, not only to avoid duplication, but to ensure the most efficient use of time,

personnel and material resources. The Electoral Assistance Unit will continue its present efforts to coordinate its activities with those of other organizations involved in electoral assistance and will give priority to the development of an electoral assistance information network.

### D. The importance of technical assistance

72. Technical assistance can facilitate proper planning and assure the smooth progression of the electoral process from the earliest stages through the tallying of final results. With an effective use of technical assistance, observers can attend to those larger aspects of elections which are their primary concern; procedural and administrative questions will have been addressed earlier through technical assistance. As a result, careful consideration should be given to the possible provision of appropriate technical assistance for countries undertaking a new and unprecedented electoral exercise.

### E. Towards decreased involvement

73. Although the United Nations is currently viewed as a primary source of electoral assistance, its role in this field should diminish over time as countries develop their own expertise and institutions to support the electoral process. A decline in demand for United Nations assistance would indicate that the Organization has fulfilled its role successfully and can focus on other important elements of the democratization process such as post-election follow-up and institutionalization.

74. An additional source of electoral assistance is regional organizations, several of which have participated in electoral operations to date. The EC, OAS and OAU have already demonstrated the positive and versatile input which regional organizations are in a position to provide. The trend towards increased involvement of regional organizations should be encouraged.

## VI. CONCLUSIONS

75. The growing demand for United Nations assistance in the organization and administration of free and fair elections is a relatively new and very positive outgrowth of its effective efforts over 46 years towards decolonization. This new phase in the State-building process signals an important change as States in regions world wide seek to establish democratic institutions and mechanisms, reaffirm their respect for universal human rights and actively encourage the participation of citizens in political processes. From this democratic base, new opportunities can emerge for greater political and social stability, economic growth and development.

76. United Nations electoral assistance also provides an important instrument for peacemaking and post-conflict peace-building. The organization of free

and periodic elections can provide a most positive solution to potential or existing conflict. By assisting in this field, the United Nations can help to build confidence among parties currently in dispute and facilitate peaceful solutions. From a longer-term perspective, United Nations electoral assistance today can contribute towards the national development of electoral structures and processes which will serve those States for years to come.

ANNEX I

Status of Member States requests as of 16 October 1992

| Country | Status |
|---|---|
| Albania | Request: A Government request for technical assistance was submitted through UNDP in mid-February 1992.<br><br>Action taken: A technical mission, comprising two consultants and one member of the Electoral Assistance Unit, was sent between 9 and 16 March 1992. One of the consultants stayed in Albania to help the Government with the coordination of international observer activities. Some contributions in kind (worth approximately $250,000) were provided through a UNDP project. Elections were held successfully on 22 and 29 March 1992. The Resident Coordinator has been asked to consult with the new Government as to whether they would be interested in technical support in relation to the creation of a permanent electoral organization, as well as in relation to the preparation of the forthcoming municipal elections. |
| Angola | Request: Verification of the electoral process by the United Nations was part of the Estoril Agreements. Technical assistance was requested by the Government of Angola in December 1991.<br><br>Action taken: On 24 March 1992, the Security Council approved the expansion of UNAVEM II to cover the verification of the electoral process. The electoral component of UNAVEM has been in place since early May, and its activities have been described in two reports to the Security Council (S/23671 and S/24556). A US$ 3.7 million UNDP/Department of Economic and Social Development technical assistance project, involving cost-sharing arrangements with several countries, was prepared during visits made by staff of the Electoral Assistance Unit between November 1991 and March 1992. UNDP/OPS established an Air Transport Unit responsible for the coordination of airlifting operations to move more than 20,000 people and 3 million pounds of cargo throughout the country. The project began activities in March 1992. The Centre for Human Rights organized a seminar on elections in a democratic society for governmental officials, representatives of political parties, non-governmental organizations, and the press at Luanda, from 31 August to 4 September 1992. The first round of elections took place on 29 and 30 September 1992. |

| Country | Status |
|---|---|
| Argentina | Request: Technical assistance to the electoral organization as an extension of previous projects was requested by the Government. It is essentially a technical activity being financed largely through cost-sharing by the Government of Argentina. A request for an extension of the project was submitted to UNDP on September 1992.<br><br>Action taken: The project has been cleared by the Unit. |
| Azerbaijan | Request: An invitation of the Government to send observers to the presidential elections of 7 June 1992 was received on 30 May.<br><br>Action taken: The Secretary-General declined the invitation due to the short lead time. The presidential elections were held on 7 June 1992. |
| Burundi | Request: A general request for technical and financial assistance was sent to the Department of Economic and Social Development of the Secretariat through the Resident Coordinator. General elections are scheduled for the first quarter of 1993.<br><br>Action taken: The Resident Coordinator has been provided detailed information on procedures for submitting requests. |
| Cambodia | Request: As contemplated in the Paris agreements, the United Nations is responsible for the organization and conduct of the elections scheduled for April/May 1993.<br><br>Action taken: The electoral component of UNTAC began with the appointment of a chief electoral officer and the deployment of electoral observers. The activities of UNTAC have been described in four reports to the Security Council (S/23870 and Corr.1 and 2, S/24578, S/24090 and S/24286). |
| Cameroon | Request: On 19 February 1992, the Government of Cameroon requested that observers be sent to follow the legislative elections in March 1992.<br><br>Action taken: The Secretary-General declined the invitation due to the time available, but informed the Government that he was asking the Resident Coordinator to follow the electoral process and to report to him on its results. The legislative elections took place on 1 March 1992, and the Resident Coordinator submitted his report. |

| Country | Status |
|---|---|
| Central African Republic | Request: A request for financial assistance for the organization of a "national debate" and for the electoral process was submitted to UNDP and was forwarded to the Unit. The Government has recently created an International Committee for the supervision of elections, and has asked UNDP to nominate candidates to join the Committee. The elections are scheduled for 25 October 1992.<br><br>Action taken: Two consultants and a United Nations staff member have been sent to join and support the International Committee. |
| Chad | Request: A broad general request for technical and financial assistance was sent to the Department of Economic and Social Development of the Secretariat through the Resident Representative. Elections date to be determined.<br><br>Action taken: Information was provided to the Resident Coordinator on alternatives available. |
| Congo | Request: The Government of Congo requested technical assistance from UNDP.<br><br>Action taken: UNDP provided the required assistance, including playing a coordinating role in the technical assistance field. The legislative elections held in July 1992 were followed by the Resident Coordinator. The Secretary-General designated two observers to follow the first round of the presidential elections, held on 2 August 1992, and three observers for the second round, which took place on 16 August 1992. |
| Djibouti | Request: On 9 August 1992, the Government of Djibouti requested that an observer be sent to follow the referendum on the new constitution and on the adoption of a multiparty system scheduled for 4 September 1992. The presidential elections are scheduled for November 1992.<br><br>Action taken: On 25 August 1992, Mr. Jonah, on behalf of the Secretary-General, informed the Government that he was asking the Resident Coordinator to follow the elections and to report to him on the results. The Resident Coordinator presented his report after the referendum, which took place on 4 September 1992. |

| Country | Status |
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| El Salvador | Request: On 19 June 1992, the Resident Coordinator transmitted a request of the Supreme Electoral Tribunal for a team of experts to provide an opinion on alternatives for modernizing the electoral registers.<br><br>Action taken: A technical mission visited El Salvador from 13 to 23 August 1992 and produced a report on proposed changes in the registration and identification procedures. |
| Eritrea | Request: The Referendum Commission of Eritrea, in a letter dated 19 May 1992, requested the United Nations to undertake the verification of the Referendum. The Conference on Peace and Democracy, which assembled all the political parties and relevant social actors in Ethiopia, supported the idea of an internationally supervised referendum.<br><br>Action taken: The Secretary-General has taken the matter to the President of the General Assembly, asking him to conduct informal consultations among the regional groups to authorize involvement of the United Nations in Eritrea. A technical team visited Eritrea between 30 July and 8 August to gather information, and submitted a report to the Secretary-General. The Secretary-General is preparing a report to present to the General Assembly. |
| Estonia | Request: On 16 June 1992, the Government of Estonia invited the United Nations to send representatives to witness and observe the holding of a referendum on the adoption of a new constitution.<br><br>Action taken: The Estonian Government was informed on 16 June that, since its request came too late, it was impossible to take any action. However, with regard to the future elections, the United Nations could consider, within its mandate, the Estonian Government's request. The referendum took place on 28 June 1992. |
| Ethiopia | Request: The Transitional Government of Ethiopia requested technical assistance and an observation mission to follow the regional elections.<br><br>Action taken: Owing to the short lead time and other missing requisites, it was not possible to fulfil the request. However, given the significance of these elections in terms of the overall process, a more active role was adopted. A mission was sent mid-May to Addis |

| Country | Status |
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| | Ababa and the United Nations was instrumental in coordinating and providing support to a Joint International Observer Group, comprising observers from several countries as well as volunteers from the international community in Addis Ababa, including the United Nations system. A UNDP project providing support to the Joint Group and to the electoral authorities was prepared. The electoral process was followed by the Joint International Observer Group. The regional elections took place on 21 June 1992. An evaluation of the approach developed in Ethiopia has been prepared. The possibility of providing, through the Centre for Human Rights of the Secretariat, support to the Commission that will be preparing the draft constitution, and the provision of an electoral consultant to the Electoral Commission, were discussed. |
| Ghana | Request: On 8 April 1992, the Government of Ghana requested technical assistance and on 6 May invited the United Nations to observe the presidential and parliamentary elections scheduled to take place on 3 November and 8 December 1992, respectively.<br><br>Action taken: As the referendum process had already begun, the Secretary-General answered that he would ask the Resident Coordinator to follow and report on the electoral process, offering as an alternative an active role in facilitating the organization and coordination of an international group of observers. On 15 July, the Government of Ghana sent a letter to the Secretary-General that seems to preclude any further United Nations involvement. |
| Guinea | Request: The Government of Guinea requested technical assistance from UNDP during March 1992. The Legislative elections are planned for December 1992.<br><br>Action taken: A technical mission, comprising one officer from the Electoral Assistance Unit and one external consultant was sent in May 1992. A draft project document was prepared and submitted to the government for approval. In August 1992, both UNDP and the Government of Guinea approved the project document, and UNDP/Department of Economic and Social Development of the Secretariat is in the process of implementing the project. Owing to problems facing the executing agency, the implementation of the project has been decentralized to the field office in UNDP. |

| Country | Status |
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| Guyana | Request: The Government of Guyana requested UNDP technical assistance to enhance national capacity for management of the electoral process.<br><br>Action taken: Through a UNDP/OPS technical assistance project, a modern computerized information system has been established and nationals trained in its operation. The system has enabled refinement of the electoral register and put in place a capacity for supervising all aspects of logistical planning and administration and resource management. |
| Haiti | Request: A small amount of funds remaining from technical assistance provided for the electoral process was intended for use in preparing a project for the creation of a permanent electoral register and to improve the situation of personal documentation.<br><br>Action taken: Action suspended. |
| Lesotho | Request: A first request was made on 5 August 1991 to the Secretary-General for assistance and support to the electoral process. On 15 October 1992, the Permanent Representative sent a letter to the Secretary-General requesting support in the General Elections scheduled to take place in January 1993.<br><br>Action taken: The Centre for Human Rights sent a mission to Lesotho in November 1991, which produced a report on the electoral law. The Secretary-General replied to the request of October 1992, informing that he was instructing the Resident Coordinator to follow and report on the elections. |
| Liberia | Request: On 11 February 1992, the Minister for Foreign Affairs of Liberia sent a letter to the Secretary-General, requesting technical and financial assistance as well as the sending of international observers to follow the electoral process. At its fifteenth session, held at Dakar from 27 to 29 July 1992, the Economic Community of West African States Authority of Heads of State and Government decided to invite the Secretary-General of the United Nations to take all necessary steps to facilitate the verification and monitoring of the electoral process in Liberia by the United Nations. The Authority also decided to confirm a similar invitation to the International Negotiation Network of President Carter. |

| Country | Status |
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| | Action taken: Two consultants were sent to Liberia to (a) evaluate the availability of population data, (b) evaluate the situation of the constituency maps, and (c) provide support to the Electoral Commission as required. No decision has been made for the moment in relation to the other aspects of the request. The consultants have completed their mission. |
| Madagascar | Request: The Government sent, through UNDP, an initial request for technical assistance. On 15 May, a further request for United Nations observation of the electoral process was transmitted through the Resident Coordinator of UNDP. After some delays, the constitutional referendum was held on 19 August, and the presidential and legislative elections should take place in November 1992. |
| | Action taken: In response to the technical assistance request, a consultant was sent in April. On 15 June the Secretary-General informed that he would ask the Resident Coordinator to follow and report on the electoral process, offering as an alternative the possibility of an active role in facilitating the organization and coordination of an international group of observers. The consultant travelled a second time, and prepared a project document to support the electoral process. The project is being implemented by UNDP/OPS. |
| Mali | Request: A request for technical assistance was made through UNDP in September 1991. On 10 February, the Government of Mali requested the Secretary-General to verify/observe the electoral process. The Minister of Foreign Relations also contacted the Administrator of UNDP requesting the financing of international observers from other organizations. |
| | Action taken: A consultant was sent on 1 December 1991 to cooperate with the electoral authorities. As to the request for United Nations observers, the Secretary-General asked the UNDP Resident Coordinator to follow the electoral process and report to him on its results. The Administrator of UNDP authorized the financing of independent international observers invited by the Government of Mali and a consultant was sent to help the Resident Coordinator in the preparation of reports and in the organization of the observer visit. The elections took place in April 1992. |

| Country | Status |
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| Mozambique | Request: The United Nations was invited as an observer to the peace negotiations that took place between the Government of Mozambique and RENAMO, and was officially requested by both parties to play an active role in the implementation of the peace agreements, including the verification of elections.<br><br>Action taken: The United Nations participated as an observer in the Rome negotiations beginning 22 June 1992. A technical team visited Mozambique in the first half of September and prepared a report to the Secretary-General on the electoral aspects of an eventual verification mission. A Peace Agreement between the two parties was signed on 4 October 1992, and on 13 October 1992 the Security Council approved the appointment of an interim Special Representative and the dispatch of 25 military observers to the country. |
| Niger | Request: A first general request for technical and financial assistance was sent to the Electoral Assistance Unit and UNDP through the Resident Representative. On 8 October 1992, the Permanent Mission sent a letter to the Secretary-General reaffirming the Government's request for United Nations assistance. The calender for the elections is the following: Referendum on the new Constitution, on 28 November 1992; Municipal and Legislative elections, on 19 December 1992; first round for presidential elections on 23 January 1993; and second round, on 6 February 1993.<br><br>Action taken: An answer to the request is currently being prepared. |
| Philippines | Request: The Commission on Elections has requested, through the UNDP Resident Representative, technical assistance in the modernization of election procedures, the establishment of a management information system, and in the reorganization of the Commission.<br><br>Action taken: The Unit is currently identifying consultants for this project. |
| Romania | Request: The Government of Romania presented a request for assistance in the electoral field in March 1990. On 2 September, the Permanent Mission of Romania sent a request for United Nations representatives to follow the parliamentary and presidential elections. |

| Country | Status |
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| | Action taken: The Centre for Human Rights sent a mission from 30 April to 4 May 1990, which provided advice to the electoral authorities for the elections that took place on 20 May 1990. The Centre has been providing further support to the Romanian authorities. The Secretary-General requested the Resident Representative to follow and report on the outcome of the parliamentary and Presidential elections held on 27 September and 11 October 1992. The Centre for Human Rights made available to the UNDP Resident Representative a staff member specialized in elections to assist in their observation. The Resident Representative has submitted his report. |
| Rwanda | Request: A request for assistance in the preparation of cost estimates, requests to donors and coordination of foreign assistance was transmitted through the UNDP on 14 May 1992. The date for the elections is yet to be determined. |
| | Action taken: A fact-finding mission was sent in June, and a project document was prepared by the Resident Coordinator's office on the basis of the report of the mission and advice from the Unit. |
| Seychelles | Request: The Director of Elections and the opposition party requested the Secretary-General to send observers to the elections. |
| | Action taken: The Secretary-General and Mr. Jonah answered both concerned parties that the Resident Coordinator in Seychelles would follow the elections and would report the results to the Secretary-General. The elections took place on 24 and 26 July 1992, and the Resident Coordinator reported the results to the Secretary-General, as planned. |
| Togo | Request: On 17 April 1992, the Government of Togo submitted a request for technical and material assistance, as well as the sending of a large number of international observers. After some delays, the Referendum on the Constitution took place on 27 September 1992. The legislative and presidential elections have been postponed, and dates have not yet been announced. |
| | Action taken: A technical mission comprising one officer from the Electoral Assistance Unit and one consultant visited Togo from 10 to 26 May. A project document for the provision of technical assistance was prepared and approved by UNDP. The Chief Technical Advisor of the project spent |

| Country | Status |
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| | one month in Togo and is expected to return to Lomé by the third week of October. As soon as the definitive date for the elections is set, the United Nations should be able to provide support to international observers following the electoral process. |
| Uganda | Request: Uganda is planning to hold elections for the Constituent Assembly in May/June 1993 in preparation for General Elections scheduled for 1994.<br><br>Action taken: The Resident Representative at Kampala was provided with information on possible United Nations assistance to the Uganda Electoral Administration. |
| Western Sahara | Request: Organization and conduct of a referendum by the United Nations in accordance with the settlement proposals of 30 August 1988.<br><br>Action taken: Currently in the process of negotiating issues related to the registration of voters. |

ANNEX II

New replies received from Member States in response to General Assembly resolution 46/137

GUYANA

[Original: English]

[28 July 1992]

The Government of Guyana wishes to associate itself with the spirit and letter of General Assembly resolutions 45/150, 46/130 and 46/137 on the questions of national elections, and in so doing, reminds the Secretary-General that it had supported the passage of those resolutions by casting a positive vote in the Third Committee.

The Government acknowledges that the thrust of General Assembly resolution 46/130 differs from that of Assembly resolution 46/137. Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes does not however exclude the possibility of electoral assistance of the type which the United Nations and other international organizations can provide. Rather, the respect for these principles emphasizes that such assistance can only be provided at the request of the State which is holding elections. Furthermore, the modalities for the provision of such assistance should be determined through a consultative process with the respective State, which should have the opportunity to give prior approval to the programmes of assistance.

In relation to General Assembly resolution 46/137, the Government wishes to inform the Secretary-General that the current preparations for general elections in Guyana are testimony to its respect for the concepts enshrined therein. It is the opinion of the Government that the periodicity of the elections is as important as their genuine character. Consequently, the Government had requested the United Nations Development Programme (UNDP) to provide technical assistance in the preparation and compilation of a voters' list. The election has had to be postponed to give the Elections Commission more time to produce a voters' list that is acceptable to all the political parties. However, the ready response of UNDP to participate in this process is testimony to the fact that the concept of periodic elections must be matched by that of genuineness, inasmuch as it is representative of the type of assistance which the United Nations can offer.

The Government of Guyana is of the opinion that, whenever resources are lacking - be they technical, financial or human in nature - it is clearly in the interest of the transparency of the electoral process that a request for electoral assistance be made to international organizations.

## PAKISTAN

[Original: English]

[28 July 1992]

The views of the Government of Pakistan are as follows:

(a) Electoral assistance by the United Nations should be considered solely upon the request of the Member State;

(b) The assistance to be rendered to Member States should be determined through consultation and agreement between the Government of the requesting Member State and the Secretary-General, in full accordance with the principle of non-interference in the internal affairs of the States and sovereign right of the peoples to determine their political, economic and social systems;

(c) Periodic elections are not a substitute to the people's right to self-determination under colonial and alien domination and foreign occupation;

(d) United Nations involvement should not be judgemental in character and should be in the nature of providing assistance only to the requesting State. Unless specifically requested, the role of the United Nations should not include monitoring of elections;

(e) Particularities of each country's electoral system must be respected.

ANNEX III

Replies received from intergovernmental organizations

EUROPEAN COMMUNITY AND ITS MEMBER STATES

[Original: English]

[29 July 1992]

Electoral assistance

The European Community and its member States offer the following comments on General Assembly resolution 46/137 of 17 December 1991, in response to the Secretary-General's note of 12 May.

1. The European Community and its member States had the opportunity on many previous occasions, but in particular in their common reply to the Secretary-General's note verbale of 15 February 1991 (latter included in the report of the Secretary-General contained in document A/46/609/Add.1), to express their basic views regarding the issue of electoral assistance.

2. The European Community and its member States reiterate the importance they attach to the principle of free and periodic elections as the expression of the right of peoples to self-determination enshrined in the Charter of the United Nations, as well as in article 21 of the Universal Declaration on Human Rights and in article 25 of the International Covenant on Civil and Political Rights. They express the belief that the task of electoral assistance merits not only increased support from all Member States, but also the strengthening of these activities by the Secretary-General, in order that the unprecedented increase in requests for electoral assistance addressed to the different United Nations organs may be more effectively answered. They equally stress the important role within their respective responsibilities and competences of regional, intergovernmental and inter-parliamentary, as well as non-governmental organizations, in the provision of electoral assistance.

3. For these reasons, they actively participated in the discussions that led to the adoption of General Assembly resolution 46/137, which they consider a step towards a better definition of the procedures, criteria and scope for United Nations involvement in the area of elections. They have noted the concrete measures taken since then for the implementation of that resolution. They consider, nevertheless, that the process needs to be further elaborated and they look forward to the proposals on detailed guidelines and terms of reference for United Nations electoral assistance.

4. The European Community and its member States consider that an important element for future progress in this area is the existence of a clear terminology and definition of concepts. General Assembly resolution 46/137 envisages two major areas of United Nations involvement in the electoral

field: technical assistance and electoral verification. In practice, however, individual requests frequently contain elements from both fields, thus giving rise to difficulties in determining the Secretariat's response. Difficulties can arise, in particular, when a Government requests that an election be observed or supervised with the involvement of the United Nations, often in conjunction with others, without seizing the Security Council or the General Assembly. Further efforts are therefore required to devise clear criteria with which to assess each individual request. These criteria should take into consideration, among other elements:

(a) The phases of the electoral process in which United Nations action is required;

(b) The degree of United Nations involvement;

(c) The question of United Nations "responsibility" for the results of the electoral process.

5. We believe that the Secretariat should examine all requests and respond to them on the basis of clearly formulated requisites. These should include the confirmation that the request (a) was in conformity with the objectives and aims of the Charter and with the International Bill of Human Rights; (b) was received from the Government concerned and enjoyed support across the political spectrum; (c) does not duplicate work already being carried out or contemplated by other organizations, including the relevant regional organization; and (d) was formulated in precise and realistic terms and presented with enough lead time, taking into consideration specific circumstances.

6. While the absence of some of these requisites would justify the immediate rejection of the request, in the other cases it is possible to envisage a system by which a dialogue between the United Nations Secretariat and the requesting Government is made possible, in order to evaluate the concrete requirements and prepare an adequate response, based on existing capacities. This dialogue could, where necessary, include a fact-finding mission, that should include an expert able to assess the likelihood of elections being free and fair, the results accepted by all the parties, and the situation of human rights in the country concerned.

7. The European Community and its member States consider that any involvement of the United Nations in the electoral field that may be construed or interpreted as a legitimization of a Government or sanctioning of the results of the electoral process should require a previous mandate by the competent organ. However, where there is no room for a political interpretation to be placed on United Nations electoral assistance, in particular where there is no sending of United Nations observers, such a mandate will not usually be required.

8. The European Community and its member States consider that, in centralizing requests for electoral assistance, the senior official, designated by the Secretary-General in accordance with General Assembly resolution 46/137, should strive to ensure that the different organs, programmes or agencies concerned, mainly the Centre for Human Rights and UNDP, are informed of all the requests and become active in those fields within their competence and expertise and for which no other body is better qualified. In particular the politicization of those electoral assistance activities which are essentially of a technical nature, should be avoided.

9. The European Community and its member States consider that for the United Nations to respond effectively to the increasing number of requests, it is important to use the full potentialities of General Assembly resolution 46/137. This is particularly true when it concerns the need to ensure consistency in the handling of requests and avoidance of duplication of efforts, through coordination between the several organs, programmes and agencies of the United Nations system, and between the United Nations and other institutions active in this field, including regional organizations, intergovernmental organizations, inter-parliamentary organizations and non-governmental organizations.

10. We believe that, in accordance with paragraph 8 of General Assembly resolution 46/137, the United Nations should give serious consideration to improving the response to the requests of Member States as they seek to promote and strengthen their electoral institutions and procedures. We would like to stress, in particular, that there is a need for an in-depth assistance between election periods and that the programme for advisory services of the Centre for Human Rights has an important role to play in this regard.

11. We believe that the credibility and effectiveness of the role of the United Nations can only be ensured if the whole process is carried out in transparency. For this purpose, we deem it necessary for the United Nations to provide Member States with regular and detailed information on all activities undertaken in this field, namely, on the requests received, on the responses given to those requests, and on the handling and financing of requests acted upon. This should also cover accessible information on the actual capacity the United Nations has to offer in this field, in order to help Member States that envisage the possibility of requesting assistance from the United Nations to formulate those requests in appropriate terms.

12. The question of financing of United Nations involvement in electoral processes should also carefully be addressed. Different ways of financing are possible. Each case will need to take account of the specific characterization of the operation, and should be based on objective criteria, as well as conforming with the United Nations financial rules and regulations. The European Community and its member States also emphasize the role regional organizations can play in sharing the financial burden of United Nations involvement.

13. Finally, in connection with the request in the Secretary-General's note of 12 May referring to General Assembly resolution 46/130 against which the 12 member States of the European Community voted, we, the European Community and its member States, would like to reiterate their view expressed in response to General Assembly resolution 45/151. We again call on the Secretary-General to prepare separate reports on the two General Assembly resolutions 46/130 and 46/137.

ANNEX IV

Recommendations of the United Nations Conference on Coordination of Assistance in the Electoral Field, held at Ottawa from 5 to 8 October 1992

1. The participants of the Conference on Coordination of Assistance in the Electoral Field, held at Ottawa from 5 to 8 October 1992, recognized that the periodic holding of free and fair elections is only one aspect of the process of democratic development and the realization of human rights. They considered that international electoral concerns and assistance should be viewed in this perspective and as an integral part of efforts to promote democratic development and respect for human rights.

2. The primary purpose of the Conference was to examine ways of strengthening cooperation among Governments, international, regional, multilateral, parliamentary and non-governmental organizations. Following the presentation of position papers, discussions on decision-making, implementation strategies and coordination issues, the Conference participants identified the following areas in which mutual support and cooperation could be strengthened:

(a) Information-sharing;

(b) Financial, material and technical assistance;

(c) Electoral observation.

3. The participants noted the value of donor cooperation in democratic development assistance and encouraged those jointly involved in such assistance to identify, on a country-by-country basis, a mechanism to achieve cooperative undertakings. In some circumstances, it may be desirable for the mechanism to be similar to that in place, in some countries, for economic development involving the donor community.

4. However, the creation of and participation in such a coordinating mechanism should not interfere with bilateral relations between donors and the recipient country. Moreover, the mechanism should not interfere with the decision-making process of each donor relating to democratic development assistance or activities.

(a) Information-sharing

5. In recognition of its comprehensive and versatile role, the United Nations, and specifically the Electoral Assistance Unit, was designated as the focal point for voluntary information-sharing and networking. In this context, the Conference approved the establishment, by and under the auspices of the United Nations-Electoral Assistance Unit, of an electoral assistance information network.

6. The Conference took note of the valuable role of existing information-sharing and support for multilateral activities undertaken by regional and multilateral organizations.

7. The participants also acknowledged the strong support that can be provided through the sharing of information from non-governmental organizations.

(b) Financial, material and technical assistance

8. Participants affirmed that the fundamental responsibility for the organization and conduct of the democratic electoral process continues to lie with the national government, regardless of the external financial contributions and technical assistance available.

9. The participants recognized the advantages of fostering cooperation and consultation among election officials on a regional or other basis in order to support professional development and to share experiences, materials, resources, and so on.

10. It was noted that different technical solutions to problems of electoral assistance have significant cost implications and it was recognized that there is need to achieve the most cost-effective electoral assistance possible, while at the same time ensuring that this would not have a negative impact on democratic development. The need to avoid unnecessary duplication and to ensure timely decision-making were recognized as important components of cost-effectiveness.

11. The participants further noted with interest the exploratory study currently being undertaken by the Swedish Government on the question of the establishment of an independent international institute for electoral assistance.

(c) Electoral observation

12. The participants recognized the diversity in the conception of and approaches to electoral observation, and the resulting differences in implementation strategy. They pointed to the need for mutual support and cooperation among groups working for comprehensive electoral observation, while at the same time respecting autonomy of the participants.

13. The participants recognized the benefits of access to reliable sources and timely information in order to assist observers at the earliest possible date prior to an electoral event.

14. In this respect, the participants further noted the importance of reports and analyses derived from electoral monitoring or observation missions. The participants recognized the value of sharing these reports.

15. The Conference participants also recognized the advantages of developing common terminology, as related to electoral matters. They further noted the usefulness of awareness of, and access to, guidelines or norms for participation and execution of electoral observation missions produced by domestic, national, multinational, regional, parliamentary, non-governmental and other groups with a view to achieving a common approach.

16. The participants expressed the hope that the United Nations system would provide support to the activities of other multilateral organizations where appropriate.

17. It was noted that many different participants, including domestic, national, multilateral, regional, parliamentary or non-governmental organizations, have a valuable role to play. Every effort should be made to maximize their contributions and to reflect this diversity in the composition of observation and monitoring teams.

## Conclusion

18. The participants agreed that the discussions had been positive and beneficial and emphasized the need for further exchange of information and experiences.

19. The Conference participants thanked the Canadian Government and the United Nations Secretariat for co-hosting the Conference and for its excellent organization.

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